

The Honorable Mitch McConnell  
The Honorable Lamar Alexander  
The Honorable Orrin Hatch

Dear Leader McConnell, Chairman Alexander, and Chairman Hatch:

We write to express our concerns with the plans to use a fast-track budget process to repeal the Affordable Care Act in the coming weeks. Repealing this law will have immediate negative impacts on the people we represent and the economy as a whole. While we believe improvements are needed to ensure high-quality health care is affordable for all Americans, we cannot afford to make a mistake that will lead to the loss of health care for our constituents.

We know there is more to do to improve the health care system in our country and agree that there are serious challenges that must be addressed. We have supported commonsense changes and improvements to the Affordable Care Act to ensure affordability and access for more Americans and have been ready and willing to work with anyone to improve the existing law for our constituents. The American people deserve a constructive bipartisan conversation about improvements we know need to be made to our health care system, and that will require time for the two sides to work together. Any proposed changes must protect the parts of law that have helped our constituents access critically needed health care.

Unfortunately, outright repeal means that an estimated 30 million people would lose their health coverage, doubling the rate of uninsured, endangering our constituents' access to needed health care services, and exposing them and their families to new financial risks if they become ill. The vast majority—eighty-two percent—of those who would become uninsured are in working families.

The negative impacts would be felt across the health care system by consumers, states, and health care providers even if there is a delay and repeal does not fully take effect for several years. States would very likely see their individual insurance markets begin to unravel quickly due to uncertainty that would drive insurers to either leave the market or raise premiums significantly. The Urban Institute estimates that 4.3 million people are at risk for losing insurance right away, and this cycle would only accelerate once the marketplace subsidies are repealed, making coverage much less affordable for people with modest incomes. According to the American Academy of Actuaries, "Repealing major provisions of the ACA would raise immediate concerns that individual market enrollment would decline, causing the risk pools to deteriorate and premiums to become less affordable. Even if the effective date of a repeal is delayed, the threat of a deterioration of the risk pool could lead additional insurers to reconsider their participation in the individual market."

As individuals lose health coverage, we would also expect to see a return to high uncompensated care costs, which would burden state and local governments and health care providers. Constituents in rural and underserved urban communities would be particularly hard hit given the economic importance of hospitals, federally qualified health centers, and clinics in many small towns. People who have pre-existing conditions, such as cancer, diabetes, and heart disease, could face new challenges in obtaining coverage and affording their care, as repeal

would endanger the popular protections now provided to them in the insurance market. And repeal would hamper our ability to combat the opioid epidemic by taking away access to substance abuse treatment from millions of Americans.

We are also concerned about the impact of repeal on Medicare beneficiaries. The ACA included provisions to improve Medicare benefits by providing free coverage for some preventive benefits, such as screenings for breast and colorectal cancer, cardiovascular disease, and diabetes, and closing the coverage gap in the Part D drug benefit by 2020.

In addition to taking away coverage for seniors and families, undermining the health care system through outright repeal would hurt our economy. Health care makes up one sixth of the nation's GDP; a hasty repeal vote with no clear plan for replacing the law will inject tremendous uncertainty into the American economy. Creating that degree of uncertainty is bad for both the health care system and the economy and is likely to have negative consequences. Congress should be trying to reduce economic uncertainty, not multiply it.

We remain committed to improving the ACA, and we urge you to work with us now—to increase affordability for families, protect communities, help small businesses, and continue important protections for the most vulnerable. But by pushing an immediate repeal through a partisan reconciliation process, we won't have the opportunity to work together and build on common ground. By moving forward with no plan in place for the future of our health care system, those who support repeal assume the responsibility of mitigating the unnecessary and avoidable chaos this will create.

U.S. Senator Tim Kaine  
U.S. Senator Michael Bennet  
U.S. Senator Tom Carper  
U.S. Senator Chris Coons  
U.S. Senator Joe Donnelly  
U.S. Senator Maggie Hassan  
U.S. Senator Heidi Heitkamp  
U.S. Senator Angus King  
U.S. Senator Amy Klobuchar  
U.S. Senator Claire McCaskill  
U.S. Senator Gary Peters  
U.S. Senator Jeanne Shaheen  
U.S. Senator Mark Warner

March 23, 2017

The Honorable Paul Ryan  
Speaker  
U.S. House of Representatives  
Washington, DC

Dear Speaker Ryan,

As a vote nears in the House of Representatives to repeal the Affordable Care Act (ACA), you have repeatedly stated that consideration of the American Health Care Act (AHCA) is only the first phase in your plan to replace the landmark law that has resulted in the lowest uninsured rate in our country's history. More specifically, you have promised consideration of several legislative proposals you falsely argue will help alleviate the devastating impact of the AHCA.

As we understand your plan, you will seek to enact these proposals after Congress uses expedited procedures to consider the AHCA, a bill the Congressional Budget Office estimated would cause 24 million Americans to lose their insurance coverage. Given your plans to pass subsequent legislation through regular order in Congress, we want to correct any misimpression you may have that we will support proposals you have cited as key to your effort. Simply put, these subsequent bills will worsen the damage the AHCA will cause.

Any assurances to your colleagues that future legislation to further scale back insurance coverage will pass through regular order if the AHCA is enacted are based on the flawed assumption that the Senate Democratic Caucus will vote to further erode the health care system and strip our constituents of coverage. We are writing today to inform you that our caucus will not support any efforts that jeopardize the consumer protections our constituents rely upon when they purchase insurance.

For example, we will oppose efforts to eliminate the ACA's essential health benefits that ensure insurance companies cover maternity care, emergency services, substance misuse and mental health treatment, prescription drugs, pediatric dental and vision care and other vital services. We will also oppose any efforts to lessen our constituents' access to basic preventative and primary care. Americans reasonably expect that the premiums they pay cover such basic needs, but before the ACA, consumers were often surprised to find their insurance did not. Undermining the value of insurance and requiring that insurance plans cover rudimentary health care services is simply shifting more costs onto patients and taxpayers. Eliminating the ACA's essential health benefits would merely force the same Americans to pay more out of pocket rather than actually reducing their costs and should not be the "solution" to the premium increases the AHCA will create.

Before you move forward with floor consideration of the AHCA, we urge you to choose another path. For many years, we have acknowledged that despite its successes, the Affordable Care Act is not perfect and it needs improvement. We have always supported sensible improvements to the ACA and believe in working together to improve our health care system for the good of the patients it serves.

Instead of supporting a fatally-flawed, incomplete, partisan bill, we hope you will take us up on our sincere offer to improve health care for all Americans.

Sincerely,

Jeanne Shaheen (D-NH)  
Tammy Baldwin (D-WI)  
Michael Bennet (D-CO)  
Richard Blumenthal (D-CT)  
Cory Booker (D-NJ)  
Sherrod Brown (D-OH)  
Maria Cantwell (D-WA)  
Ben Cardin (D-MD)  
Thomas Carper (D-DE)  
Robert Casey (D-PA)  
Chris Coons (D-DE)  
Catherine Cortez Masto (D-NV)  
Tammy Duckworth (D-IL)  
Richard Durbin (D-IL)  
Dianne Feinstein (D-CA)  
AL Franken (D-MN)  
Kirsten Gillibrand (D-NY)  
Kamala Harris (D-CA)  
Maggie Hassan (D-NH)  
Martin Heinrich (D-NM)  
Mazie Hirono (D-HI)  
Tim Kaine (D-VA)  
Amy Klobuchar (D-MN)  
Patrick Leahy (D-VT)  
Edward Markey (D-MA)  
Robert Menendez (D-NJ)  
Jeff Merkley (D-OR)  
Chris Murphy (D-CT)  
Patty Murray (D-WA)  
Bill Nelson (D-FL)  
Gary Peters (D-MI)  
Jack Reed (D-RI)  
Bernie Sanders (I-VT)  
Brian Schatz (D-HI)  
Debbie Stabenow (D-MI)  
Tom Udall (D-NM)  
Chris Van Hollen (D-MD)  
Mark Warner (D-VA)  
Elizabeth Warren (D-MA)  
Sheldon Whitehouse (D-RI)  
Ron Wyden (D-OR)



March 30, 2017

The Honorable Donald J. Trump  
President of the United States  
The White House  
1600 Pennsylvania Avenue, Northwest  
Washington, D.C. 20006

Dear Mr. President:

“First, do no harm.” This historic maxim guides doctors’ care for their patients and it must also guide our actions when it comes to the health care and coverage of the American people.

The Republican bill to repeal the Affordable Care Act did not meet this test. It would have reduced coverage, eliminated protections, and increased costs for hard-working families and seniors across America. The bill was a bad deal for the American people and now, as Speaker Ryan acknowledged, the ACA will remain the law of the land for the foreseeable future.

Democrats have always been ready to work across the aisle to improve and update the Affordable Care Act. It is our hope that we can work together to prevent the increase in premiums and other health care costs for hard-working Americans, including the soaring cost of prescription drugs – a vital issue you have raised in the past.

You may be pleased to know, the ACA’s insurance marketplaces are not imploding – an assessment confirmed by the Congressional Budget Office, Standard & Poors, and the American Academy of Actuaries. Standard & Poors, in fact, predicted “continued improvement” in the market in 2017. Because the ACA’s subsidies automatically adjust to keep Americans’ monthly payments to an affordable percentage of their income, the overwhelming percentage of consumers are shielded from even large premium hikes. The marketplaces will remain durable, unless there is willful action to destroy them.

There are 12.2 million Americans who signed up for health plans in the ACA Health Insurance Marketplaces for 2017, and are relying on these plans for their coverage. In just a few months, insurers will be making bids for participating in the 2018 Marketplaces. As President, you have a responsibility to protect and sustain the marketplaces and the coverage they provide to so many Americans.

In particular, your Administration must implement the law and stabilize the marketplaces by:

- Ensuring Cost Sharing Reduction payments are paid;
- Enforcing the Individual Shared Responsibility Provision;

- Working with States and insurers to make sure that consumers everywhere have options;
- Providing adequate funding for HealthCare.gov, and for outreach and grants to Navigators.

It is time to move forward for the American people. Honoring our responsibility to do no harm, we should take this opportunity to continue to lower costs, improve quality, and expand coverage, while continuing to improve the stability of the marketplaces.

Thank you for your review of our concerns on behalf of the American people.

best regards,



NANCY PELOSI  
Democratic Leader  
U.S. House of Representatives



CHARLES SCHUMER  
Democratic Leader  
U.S. Senate



# United States Senate

WASHINGTON, DC 20510

April 3, 2017

The Honorable Donald Trump  
President  
The White House  
1600 Pennsylvania Avenue  
Washington, DC 20500

Dear President Trump,

Last week, Democrats told you that we are willing to work with you to improve the Affordable Care Act (ACA) and to help advance bipartisan work to improve the cost of coverage for families, so long as your administration ends its efforts to repeal, dismantle or further undermine the critical benefits provided in the law. We remain concerned that your Administration has still not provided certainty to insurers and consumers that you will protect the cost-sharing subsidies provided under the law.

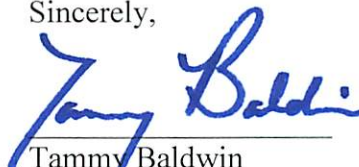
In January, many of us called on you to take action to protect the cost-sharing subsidies the ACA currently provides families to help reduce deductibles and out of pocket health care costs. Yet, your Administration and Congressional Republicans have made no effort to halt the lawsuit *House v. Price* that would take away these vital cost-sharing subsidies from the more than 6 million Americans who rely on them today. Instead, you and House Republicans further delayed action on this lawsuit – prolonging uncertainty for consumers and insurers - until May 22, 2017.

Failing to take immediate action to oppose the lawsuit or direct House Republicans to forgo this effort will increase instability in the insurance market, as insurers may choose not to participate in the marketplace in 2018. Indeed, at a Senate hearing in February, the President of America's Health Insurance Plans said, “[I]nsurance [companies] may not stay in the market because they understand these people have to have this assistance... it is very important to the stability of the individual market.”<sup>1</sup> Most importantly, if your Administration stops these payments, it would immediately expose our families to higher insurance costs and could force them to forgo needed care.

As we have said, we stand ready to work on improvements to the law that would reduce costs for individuals and improve the stability of the market. But, we cannot work together on commonsense reforms without a strong commitment from your Administration to do no further harm and to halt efforts that have already begun to undermine access to affordable coverage.

We urge you, again, to take action to protect and continue this vital financial assistance for our constituents and all of the health benefits that our families rely on today.

Sincerely,



Tammy Baldwin  
United States Senator

---

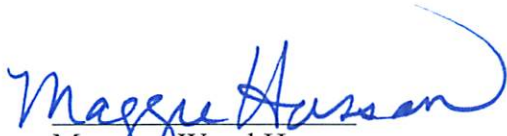
<sup>1</sup> <https://www.help.senate.gov/hearings/obamacare-emergency-stabilizing-the-individual-health-insurance-market>



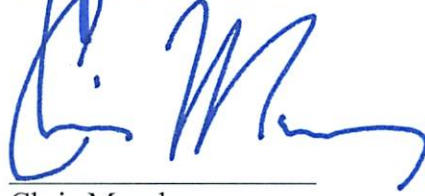
Sheldon Whitehouse  
United States Senator



Elizabeth Warren  
United States Senator



Margaret Wood Hassan  
United States Senator



Chris Murphy  
United States Senator

CC: Secretary Thomas E. Price, Department of Health and Human Services  
Speaker Paul Ryan, U.S. House of Representatives



# United States Senate

WASHINGTON, DC 20510

May 5, 2017

The Honorable Lamar Alexander  
Chairman, Committee on  
Health, Education, Labor & Pensions  
U.S. Senate  
Washington, DC 20510

The Honorable Orrin Hatch  
Chairman, Committee on Finance  
U.S. Senate  
Washington, DC 20510

Dear Senators Alexander and Hatch,

In light of reports of ongoing, secret negotiations regarding a Senate version of Trumpcare, we urge you to engage in an open and transparent debate including holding hearings on any potential legislative product so that families and communities can understand the impact on their health and financial security.

It has been nearly four months since Senate Republicans passed a budget resolution, including reconciliation instructions, intended solely to enact Trumpcare. Since that time, the Senate hasn't held a single public hearing on the reconciliation process or the impact this devastating legislation would have on patients and families. Yesterday, the House passed its version of Trumpcare, after making substantial concessions to the extreme right wing of the House Republican conference. The House acted without an updated cost or coverage estimate from the non-partisan Congressional Budget Office. The MacArthur Amendment didn't receive a single hearing, and the text of the Upton amendment was released less than 24 hours before final passage of the bill.

It is deeply concerning that legislation with such far-reaching and harmful consequences would be jammed through the House with little time for public review or debate. Trumpcare threatens protections for Americans with pre-existing conditions, imposes an "age tax," and ends the Medicaid program as we know it, all to finance tax cuts for the wealthy and major corporations.

The Senate Finance and HELP Committees cannot abdicate our responsibility to hold public hearings on such sweeping health reform legislation. Before passage of the Affordable Care Act, the Senate held a thorough, collaborative, and deliberate process. The Senate Finance Committee held more than 50 hearings and spent a full eight days marking up the legislation. A quarter of the amendments accepted by the Finance Committee were Republican amendments. The Senate HELP Committee held more than 45 bipartisan hearings, roundtables, and walkthroughs. During HELP's month-long markup, the Committee accepted 160 Republican amendments. Both Committees had their respective bills posted online for 6 days prior to each markup. In total, the

Senate spent more than 160 hours considering the legislation, which at passage, included 147 Republican amendments.

Rather than continuing to work in secret, we urge you to make good on your stated preference and long successful history of bipartisan legislating, and hold public hearings on the devastating impact of Trumpcare. Furthermore, we urge you to abandon the disastrous Trumpcare bill, stop trying to repeal the ACA and sabotaging the health care system, and work with Democrats on bipartisan legislation to make health care more affordable, expand coverage, and strengthen quality of care for patients and families.

Sincerely,



---

Patty Murray  
Ranking Member  
Senate HELP Committee



---

Ron Wyden  
Ranking Member  
Senate Finance Committee

# United States Senate

WASHINGTON, DC 20510

May 9, 2017

Senator Mitch McConnell  
United States Capitol Building, S-230  
Washington, DC 20510

Senator Lamar Alexander  
455 Dirksen Senate Office Building  
Washington, DC 20510

Senator Orrin Hatch  
104 Hart Senate Office Building  
Washington, DC 20510

Dear Leader McConnell, Chairman Alexander and Chairman Hatch:

We write to request that the Senate work in a bipartisan, open and transparent way to improve and reform the health care system. Democrats stand ready – as we always have -- to develop legislation with Republicans that will improve quality, lower costs, and expand coverage for all Americans. But Republicans need to set aside their current partisan efforts and work with us to get this done.

Last week, the House passed a partisan bill that will dramatically increase the cost of health insurance for those who need it most and lower the quality of coverage. The nonpartisan Congressional Budget Office found that the underlying bill would result in 24 million Americans losing health insurance, while facing increased costs. The House passed bill also eliminates more than \$800 billion from state Medicaid programs and important patient and consumer protections – especially for women and all those with pre-existing conditions. Finally, the House bill was passed without a final official cost or coverage estimate from CBO and may contain provisions that violate the Senate's rules regarding the privileged reconciliation process.

We urge you to drop the current partisan effort to repeal and replace health care reform through reconciliation. We also urge you to discourage the ongoing effort by the Administration to destabilize the health care marketplace, which could lead to rising insurance premiums for all and make it harder for families to access health care. If repeal is abandoned, we stand ready to work with you to help all Americans get the affordable health care they need. Instead of trying to change the House's "repeal and replace" legislation, which has an uncertain path to the President's desk, you could instead choose to work with us on a bipartisan health reform package that can garner 60 votes in the Senate and pass the House with Republican and Democratic votes.

Working together to improve health care requires an open and transparent process that includes public hearings, an open amendment process, and ample time for debate in the full Senate. There are a number of issue areas we want to work on with you, including:



- Reducing the cost of prescription drugs
- Decreasing the cost of premiums without cutting the quality of benefits
- Making the cost of care more affordable by reducing out-of-pocket costs
- Stabilizing and strengthening the insurance market
- Helping more struggling families get covered
- Making it easier and less expensive for small businesses to provide health care

We look forward to your response and working with you in a bipartisan process to improve the health care system for all Americans.

Sincerely,

Chuck Schumer

Duck Deuben

Richard Blumenthal

Ron Wyden

Tom Boddie

Brian Schatz

Dee C. Pata

Mark R. Warner

Jack Reed

Patty Murray

Samuel J. ...

Tim / Li

Jeane Shaker

Tom Odell

Whitmore

Robert Meneu J.

Mazui K. Aiano

Rebecca Stenow

Samuel Brown

Bill Nelson

Jon Tosti

Al Franken

Whitmore

Dianne Feinstein

Maggie Hassan

Bar Sanders

J. B.

Edward J. Markey

Erin Munn

Cheri Coen

Catherine Day Minto

Mimi F. Burt

Bob Carey, Jr.

Ther Va Haller

Jeffrey A. Munkley

Elizabeth Ham

Heidi Heitkamp

Amy Klobuchar

Joe Manchillo

Maria Cantuena

Ben Cardin

Tom Carper

Cara McCasill

Tammy Duckworth



Patrick Leahy

Joe Donnelly

Kirsten Gillibrand

Angus King -

CHARLES E. SCHUMER  
NEW YORK



DEMOCRATIC LEADER

UNITED STATES SENATE  
WASHINGTON, D.C. 20510

June 15, 2017

The Honorable Mitch McConnell  
Majority Leader  
U.S. Senate  
U.S. Capitol, S-230  
Washington DC 20510

*MITCH*

Dear ~~Majority Leader McConnell~~:

On behalf of the Senate Democratic Caucus, I write to request that you and the Republican Conference attend an All-Senators meeting next week on the topic of health care. Now, more than ever, Republicans and Democrats need to come together to find solutions to America's challenges.

Our health care system affects every single American and one-sixth of our economy. We believe we all owe it to our constituents to pursue any bipartisan potential legislation because it profoundly impacts so many American lives.

The U.S. Senate has long been considered the world's greatest deliberative body and, as members of that body, we should each support open and robust debate. That is why we are dismayed at the reports that there will be no public hearings on your proposed changes to the American health care system.

Please accept our invitation to sit down together in the old Senate Chamber to find a way to make health care more affordable and accessible in the United States.

Sincerely,

A handwritten signature in blue ink, appearing to read "CL Sch", written over a horizontal line.

CHARLES E. SCHUMER  
United States Senator